PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q85911

Teruo KIRIKAE, et al.

Appln. No.: Based on PCT/JP03/09267

Confirmation No.: Unknown

Group Art Unit: Unknown

Examiner: Unknown

Filed: January 24, 2005

For: ANTIBODY AGAINST ANTIBACTERIAL PEPTIDE AND USE THEREOF

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.97 and 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed: (1) No later than three months from the application's filing date; (2) Before the mailing date of the first Office Action on the merits (whichever is later); or (3) Before the mailing date of the first Office Action after

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filing a request for continued examination (RCE) under §1.114, and therefore, no Statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R. § 1.17(p) is required.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant encloses herewith a copy of a Communication from a foreign patent office in a counterpart application citing such documents, together with an English-language version (if not already included) of at least that portion of the Communication indicating the degree of relevance found by the foreign patent office.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

Respectfully submitted.

Registration No. 32,197

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Date: January 24, 2005

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January 24, 2005 Teruo KIRIKAE

Unknown

Substitute for Form 1449 A & B/PTO

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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			**	Examiner Name	Unknown	
Sheet	1	of	1	Attorney Docket Number	Q85911	

Application Number

Filing Date

Confirmation Number

First Named Inventor

U.S. PATENT DOCUMENTS						
	Cite No. ¹	Document Number				
Examiner Initials*		Number	Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	
		US				
		US				
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FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	Foreign Patent Document			Publication Date	Name of Patentee or	Translation ⁶
		Country Code ³	Number ⁴	Kind Code ⁵ (if known)	MM-DD-YYYY	Applicant of Cited Document	Iranslation
/Y.K./		EP	0955312	A2	11-10-1999	Seikagaku Corporation.	
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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation ⁶
/Y.K./		T. Kirikae, et al., "Protective Effects of a Human 18-Kilodalton Cationic Antimicrobial Protein (CAP18)- Derived Peptide against Murine Endotoxemia", Infection and Immunity, May 1998, Vol. 66, No. 5, pp. 1861-1868	
/Y.K./		A. Swierzko, et al., "Biological activities of lipopolysaccharides of Proteus spp. and their interactions with polymyxin B and an 18-kDa cationic antimicrobial protein (CAP18)-derived peptide", J. Med. Microbiol., February 2000, Vol. 49, No. 2, pp. 127-138	
		M. Hirata, "Honyu-rui ga Tsukuru Kokin Tanpakushitsu (CAP18) no Lino Tato Chuwa Kassei to Seitai	
		Bogyo", Protein nucleic acid and enzyme, March 10, 2001, Vol. 46, No. 4 special extra issue, pp. 575-581	
/Y.K./		M. Hirata, et al., "Endotoxin-neutralizing proteins for sepsis and endotoxin shock", International Congress Scries, 1996, Vol. 1102, pp. 109-115	
/Y.K./		J. W. Larrick, et al., "Human CAP18: a Novel Antimicrobial Lipopolysaccharide-Binding Protein", Infection and Immunity, April, 1995, Vol. 63, No. 4, pp. 1291-1297	
	*****		<u> </u>

Examiner Signature	/Yunsoo Kim/	Date Considered	02/25/2008

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). *See Kind Codes of USPTO Patent Documents at www.uspto.gov, MPEP 901.04 or in the comment box of this document. *J Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). *For Japanese patent documents, the indication of the year of the reign of the Emperor anustr precede the serial number of the patent document. *Kind of document by the appointing symbols as indicated on the document under VIPO Standard ST. 1 of Iropastic and ST. 1 of language Translation is attached.